

STATE OF ILLINOIS )

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COUNTY OF LAKE )

Agenda Item #

**49**

COUNTY BOARD, LAKE COUNTY, ILLINOIS

September 9, 2008

MADAM CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Planning, Building and Zoning Committee presents herewith a Resolution on Zoning Case #3731 relating to a text amendment to provide for and regulate Public Safety Training Facilities.

Your Department of Planning, Building and Development has recommended that such amendments be adopted; your Zoning Board of Appeals has unanimously recommended the amendments attached as Exhibit A be adopted; and your Planning, Building and Zoning Committee has recommended by a vote of 6 to 0 the amendments attached as Exhibit A be adopted.

Respectfully submitted,

Aye    Nay

Samela D. Meester  
CHAIRPERSON

☒    ☐

Judy Martini  
VICE-CHAIRMAN

☒    ☐

Samuel H. Martin

☒    ☐

Robert Salony

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Robert Salony

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Robert Salony

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Robert Salony

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## RESOLUTION

WHEREAS, an application to amend the text of the Lake County Unified Development Ordinance (UDO) has been received from Great Lakes Disaster Training Facility, Inc. and the County of Lake, and

WHEREAS, the UDO does not currently provide for such a facility, and

WHEREAS, a public hearing was conducted by the Lake County Zoning Board of Appeals on said application, and

WHEREAS, the Lake County Zoning Board of Appeals has unanimously recommended the text amendments attached hereto as Exhibit A be adopted, and

WHEREAS, your Planning, Building and Zoning Committee has reviewed the recommendation of the Zoning Board of Appeals and recommends by a vote of 10 to 0 the text amendments attached hereto as Exhibit A be adopted.

NOW, THEREFORE, BE IT RESOLVED by the Lake County Board that the amendments contained in Exhibit A, attached hereto and hereby made a part of this Resolution be, and are hereby adopted and made a part of the Lake County Unified Development Ordinance; and

BE IT FURTHER RESOLVED that the Clerk of the County Board shall keep a record of this action.

DATED AT WAUKEGAN, LAKE COUNTY, ILLINOIS, this 9th day of September, 2008.

July 29, 2008

**"EXHIBIT A"**

**PROPOSED TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE  
OF LAKE COUNTY, ILLINOIS**

**Global Matters**

- 1) Amend Article 14, Definitions to add a definition for "Public Safety Training Facility" to read as follows:  
  
*"A facility used for providing training and/or education primarily to public employees and first responders for the purpose of responding to public safety issues."*
- 2) Amend Article 6, Use Regulations to add under "Community Service" use category "Public Safety Training Facility" and allow it subject to a non-delegated Conditional Use Permit (CUP) in AG, LI, II and OS zones.
- 3) Amend Article 6, Section 6.3, Use Standards to add standards for "Public Safety Training Facility". See Use Standards below.

**Use Standards & Requirements**

- A. The site shall have a minimum area of forty (40) acres.
- B. A conceptual site plan shall be submitted showing areas for all Permanent Improvements, Temporary Structures, Trade Props and Special Improvements as well as the location of stormwater detention facilities, roadways, natural resource protection and general topography.
- C. The conceptual site plan shall be accompanied by a general description of possible uses and activities for the property.
- D. The use of the property shall be approved as part of the CUP.
- E. Total impervious surface and floor area allowed for the development, may be established as part of the CUP.
- F. Site development requirements, site development permit duration and building permit requirements for the development may be defined as part of the CUP.

- G. Required landscaping, lighting, signage, parking, site plan and noise standards may be established as part of the CUP.
- H. The following standards shall be applicable to all Permanent Improvements located on the site:

Permanent Improvements ("Permanent Improvements") are those habitable improvements, structures and facilities, which by their nature and intended use are permanent or long-term in nature. By way of example and not limitation of Permanent Improvements: offices, auditoriums, classrooms, and cafeteria.

- 1) That portion of the property designated solely for Permanent Improvements shall comply with all applicable requirements of the UDO unless specifically addressed as part of the CUP.
- 2) All Permanent Improvements shall comply with the building codes of Lake County, Illinois including building permit and certificate of occupancy requirements.
- 3) A minimum setback of Permanent Improvements from any public road right-of-way as such right-of-way is configured on the date of the CUP may equal but shall not be less than fifty (50) feet or a distance equal to the height of the Permanent Improvement, whichever is greater. All other setbacks on the perimeter boundary of the property may equal but shall not be less than thirty (30) feet or a distance equal to the height of the Permanent Improvement, whichever is greater.
- 4) A minimum separation distance between Permanent Improvements shall be the greater of (a) fifteen (15) feet or (b) as required as a minimum under the building code of Lake County, Illinois.
- 5) That portion of the Property designated solely for Permanent Improvements shall be subject to the site plan review procedure of Article 4 to ensure compliance with the applicable provisions of the UDO unless specifically addressed as part of the CUP provided (a) no neighbor notice under Section 4.1.3E of the UDO shall be applicable to the property, and (b) there shall be no lapse of approval under Section 4.1.3G of the UDO.
- 6) Height of any Permanent Improvement may be established as part of the CUP.

- I. The following standards shall be applicable to all Trade Props located on the site:

Trade Props ("Trade Props") are those improvements, structures and facilities which by their nature and intended use are not habitable and whose purpose is to further the use of the property as a training and educational facility through activities occurring on the property relating to such improvements, structures or facilities, for example, their destruction, reconfiguration, or collapse. Trade Props

are not accessible by the general public and do not have a permanent, working sanitary system. By way of example and not limitation of Trade Props: live flame burn towers, assault towers, heavy debris piles, rail cars, rubble piles, climbing towers, trenches, trench rescue items, or items deposited or stored in facilities to be burned or demolished even though one or more of the foregoing items may potentially be permanent or long-term in nature.

- 1) No building permits, site development permits, certificates of occupancy or other approvals or permits shall be required for any Trade Props except for those permit requirements established as part of the CUP.
- 2) The maximum allowable floor area for the property shall not include Trade Props.
- 3) The maximum height of Trade Props shall not exceed 150 feet.
- 4) No minimum separation shall be required between Trade Props.
- 5) A minimum separation may equal but shall not be less than sixty (60) feet between Permanent Improvements and Trade Props.
- 6) Trade Props may equal but shall not be less than forty-five (45) feet from the side or rear property boundary.
- 7) Trade Props may equal but shall not be less than one hundred (100) feet from any public road right-of-way as such road right-of-way is configured on the date of the CUP.

J. Temporary Structures are those structures that are temporary in nature which remain in place for one hundred eighty (180) days or less. By way of example and not limitation, Temporary Structures shall include membrane structures including tents, mobile classrooms, portable sanitary units, portable shower units and temporary structures for scientific research and testing.

- 1) Temporary Structures shall comply with the applicable building codes of Lake County, Illinois and the County Board of Health regulations.
- 2) No site development permits shall be required for any Temporary Structures except for those permit requirements established as part of the CUP.
- 3) The County shall, upon application and demonstration of anticipated compliance with applicable building codes, issue building permits for tents for temporary housing or other uses in advance of the proposed erection, subject to inspection upon erection. Such permits shall be renewed annually upon further application and demonstration of anticipated compliance with applicable building codes.

- 4) The maximum allowable floor area for the property shall not include Temporary Structures.
- 5) The maximum height of Temporary Structures may equal but shall not exceed 150 feet.
- 6) A minimum separation distance may equal but shall not be less than twenty (20) feet between Temporary Structures provided no minimum separation shall be required if the location of the Temporary Structures are components of a disaster event training session lasting no more than 72 consecutive hours.
- 7) A minimum separation distance may equal but shall not be less than sixty (60) feet between Trade Props and Temporary Structures provided no minimum separation shall be required if the location of the Temporary Structures or Trade Props are a component of a disaster event training session lasting no more than 72 consecutive hours.
- 8) A minimum separation between Permanent Improvements and Temporary Structures shall be the greater of (a) fifteen (15) feet or (b) as required as a minimum by the building code of Lake County, Illinois
- 9) A Temporary Structure may equal but shall not be less than forty five (45) feet from the side or rear property boundary.
- 10) A Temporary Structures shall not be located any closer than one hundred (100) feet from any public road right-of-way as such road right-of-way is configured on the date of the CUP.

K. Special Improvements are by their nature or use neither Permanent Improvements, Trade Props nor Temporary Structures. Special Improvements shall be site specific improvements defined as part of the CUP. By way of example and not limitation, Special Improvements may include emergency vehicle operations course (EVOC), ancillary improvements directly related to the operation of EVOC such as a garage for storage and repair of vehicles (even though theoretically habitable), shooting range, helicopter landing pads, showers, toilets, permanent foundations for Trade Props and stormwater retention or detention facilities. The County Board may, from time to time, solely upon the application of the owner or tenant of that portion of the property in which Special Improvements may be located, designate other improvements as Special Improvements.

- 1) Special Improvements shall comply with the building codes of Lake County, Illinois including building permits and certificates of occupancy requirements.
- 2) Site development permit requirements for Special Improvements may be defined as part of the CUP.

- 3) The maximum allowable floor area for the property shall not include Special Improvements except as defined in the CUP.
- 4) The maximum height and minimum separation distances relating to Special Improvements may be established as part of the CUP.
- 5) A Special Improvement may equal but shall not be less than sixty (60) feet from the side or rear property boundary.
- 6) A Special Improvement shall not be located any closer than one hundred (100) feet from any public road right-of-way as such road right-of-way is configured on the date of the CUP.

L. Except as may be required by the Statutes of the State of Illinois for an amendment to the CUP or for a zoning variance, following initial approval of the CUP no further notices or public hearings shall be required for the development or use of the property as a Public Training Facility.

COUNTY BOARD, LAKE COUNTY, ILLINOIS

September 9, 2008

MS. CHAIRPERSON AND MEMBERS OF THE COUNTY BOARD:

Pursuant to State Statutes and following proper publication of public notice, a public hearing has been held by the Lake County Zoning Board of Appeals on July 21, 2008 on the application of Great Lakes Disaster Training Facility, Inc. and the County of Lake which seeks to amend the text of the Lake County Unified Development Ordinance to provide for and establish standards for a Public Safety Training Facility.

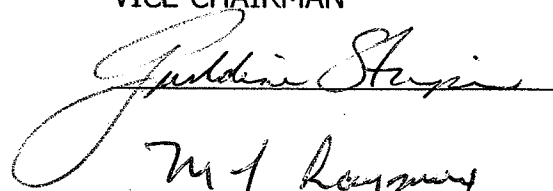
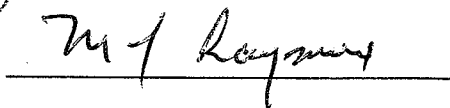
The proceedings of this public hearing were manually and electronically recorded and are available for public review at the office of the Lake County Zoning Board of Appeals.

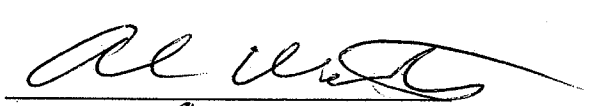
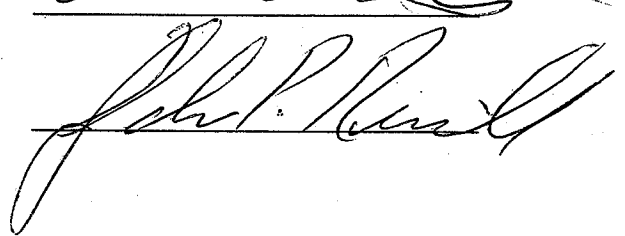
At the close of the hearing held on July 29, 2008, after a final review of all evidence and testimony presented on this matter, a motion was made by Member Raymond and seconded by Member Koeppen to recommend that the amendment attached hereto as Exhibit A be adopted.

Voting "Aye" on this motion were Members Koeppen, Raymond, Reindl, Stimpson, Westerman, Zerba and Bell. Voting "Nay", none. The motion passed by a vote of 7 - 0.

At the direction of the Chairman of the Lake County Zoning Board of Appeals, this report is herewith forwarded to your Honorable Body with the recommendation it be adopted.

  
CHAIRPERSON

VICE-CHAIRMAN  
  


Dated this 7th day of August, 2008.



Philip J. Rovang  
Director

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## **MEMORANDUM**

July 3, 2008

TO: George Bell, Chairman  
Lake County Zoning Board of Appeals

Marvin Raymond, Chairman  
Lake County Regional Planning  
Commission

FR: Robert Mosteller, Deputy Director  
Lake County Department of Planning, Building and Development

CASE NO: 3731

REQUESTED ACTION: Adoption of text amendments to the UDO that will provide for and regulate a Public Safety Training Facility.

ZBA PUBLIC HEARING DATE: July 21, 2008

Staff from several County Departments have worked with representatives of Disaster Training, Inc. for well over a year to prepare these proposed text amendments. The purpose of these amendments is, of course, to allow and regulate the development of a training facility for first-responders (e.g., police and fire) to emergency situations, including terrorism and hazardous materials response.

An effective training facility requires the creation of unsafe structures and situations. Further, these training activities will have detrimental and unavoidable impacts on surrounding properties. This runs counter to some fundamental purposes of zoning and building codes; the prevention of unsafe structures and activities and the protection of the beneficial use, enjoyment and value of neighboring properties.

These text amendments have been prepared recognizing this dilemma but also recognizing that an ultimate goal of both the training facility and of zoning and building codes is the protection of the public health, safety and welfare. We believe these amendments achieve a reasonable balance between the training needs of the facility, the protection of neighboring residents and the overall benefit to the general public.

Development Review  
Bob Mosteller  
Deputy Director

Zoning Administration  
Sheel Yajnik  
Zoning Administrator

Planning and Support Services  
Dennis Sandquist  
Deputy Director

Community Development  
Vern Witkowski  
Deputy Director

**July 2, 2008**

Staff therefore recommends the adoption of these amendments as they meet the required standards in the following manner:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;

Certainly since 9/11 we have become much more aware of the need for improved public safety services. A training facility as would be allowed by these amendments addresses the increased need for additional and improved public safety facilities and services.

- B. The proposed amendment is consistent with the purpose and intent of this Ordinance (Sec. 1.5); and

These amendments are consistent with 1.5.Q, "ensuring protection from fire, flood, and other dangers." They are also consistent with the statutory purposes of "promoting the public health, safety, morals, comfort and general welfare" and "lessening or avoiding the hazards to persons and damages to property resulting from the accumulation or runoff of storm or flood waters."

- C. The proposed amendment will not adversely affect the health, safety, morals and general welfare of the public.

The proposed amendments will promote and protect the public health, safety and welfare by providing for improved training of first-responders and other public safety personnel.